

**SCHEDULE OF COMMITMENTS ON GOVERNMENT PROCUREMENT
URUGUAY**

SECTION A

(CENTRAL ENTITIES)

This Agreement applies to public procurement conducted by the Uruguayan entities listed in Sections A and C, when the value of public procurement has been estimated, in accordance with Article 13.4 (Valuation of contracts), which is the same or that exceeds:

For Goods and Services:

- From the entry into force of the Agreement until the end of the 10th from its entry into force: SDR 284,091 (two hundred, eighty-four thousand and ninety-one).
- From the 11th (eleventh) year until the end of the 15th (fifteenth) year from the entry into force of this Agreement: SDR 200,000 (two hundred thousand).
- From the 16th (sixteenth) year from the entry into force of the Agreement onwards: SDR 130,000 (one hundred, thirty thousand).

For Construction Services:

- SDR 5,652,032 (five million, six hundred fifty-two thousand and thirty-two) for the construction or public works services specified in Section F.

LIST OF ENTITIES

Unless otherwise specified in this Section, all entities / agencies listed below are covered by this Agreement.

A) PODER EJECUTIVO (EXECUTIVE BRANCH)

1. Presidencia de la República (1) (Presidency of the Republic)

2. Ministerio de Defensa Nacional (2) (Ministry of National Defense)
3. Ministerio del Interior (2) (Ministry of Interior)
4. Ministerio de Economía y Finanzas (Ministry of Economy and Finances)
5. Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)
6. Ministerio de Ganadería, Agricultura y Pesca (Ministry of livestock, farming and fishing)
7. Ministerio de Industria, Energía y Minería (Ministry of Energy and Mining Industry)
8. Ministerio de Turismo (Ministry of Tourism)
9. Ministerio de Transporte y Obras Públicas (Ministry of Transport and Construction services)
10. Ministerio de Educación y Cultura (Ministry of Education and Culture)
11. Ministerio de Salud Pública (Ministry of Public Health)
12. Ministerio de Trabajo y Seguridad Social (Ministry of Labor and Social Security)
13. Ministerio de Vivienda y Ordenamiento Territorial (Ministry of Housing and Territorial Planning)
14. Ministerio de Desarrollo Social (Development Ministry)
15. Ministerio de Ambiente (Ministry of Environment)

B) PODER LEGISLATIVO (LEGISLATIVE BRANCH)

1. Cámara de Senadores. (Chamber of Senators)
2. Cámara de Representantes (House of Representatives).
3. Asamblea General (General Assembly)
4. Comisión Permanente (Permanent Commission)
5. Comisión Administrativa (Administrative Commission)

C) PODER JUDICIAL (JUDICIAL BRANCH)

1. Suprema Corte de Justicia (Supreme Court of Justice)
2. Tribunales de Apelaciones (Courts of Appeals)
3. Juzgados Letrados de Primera Instancia (Trial Courts of First Instance)
4. Juzgados de Paz Departamentales de la Capital (Departmental Courts of Peace of the Capital)
5. Juzgados de Faltas (Fault Courts)
6. Juzgados de Paz Departamentales del Interior (Departmental Courts of Peace of the Interior)
7. Juzgados de Paz de las Ciudades, Villas o Pueblos del Interior (Courts of Peace of the Cities, Towns or Peoples of the Interior)
8. Juzgados de Paz Rurales (Rural Peace Courts)
9. Corte Electoral (Electoral Court)
10. Tribunal de Cuentas (Court of Accounts)

11. Tribunal de lo Contencioso Administrativo (Administrative Litigation Court)

URUGUAY'S NOTES TO ITS LIST OF ENTITIES:

(1) The hiring of goods and services by the Presidency of the Republic does not include those carried out by the Central Operative Unit "Plan de Integración Socio-Habitacional "Juntos"", regulated by law number 18829 of 24 October 2011.

(2) Purchases made by the Ministry of Defense and by the Ministry of the Interior do not include purchases of strategic goods listed below:

- armament
- nuclear war material
- fire control equipment
- ammunition and explosives
- missiles
- aircraft and components for aircraft
- equipment for takeoff, landing and ground handling of aircraft
- boats and maritime equipment

Neither are the procurement of goods made by the Ministry of Defense and the Ministry of the Interior covered by Section 2 (Food, Beverage and Tobacco, Textile and Clothing and Leather Products) of the Central Product Classifier (CPC version 1.0. of the United Nations) covered.

SECTION B

(SUB-CENTRAL ENTITIES)

Uruguay shall consult with its departmental governments with a view to achieving their inclusion in Uruguay's market access offer on a voluntary basis.

SECTION C

(OTHER ENTITIES)

A) AUTONOMOUS ENTITIES

1. Administración Nacional de Educación Pública (ANEP) (1)
2. Consejo Directivo Central (CODICEN)
3. Instituto Nacional de Colonización (INC)
4. Universidad de la República (UDELAR) (2)
5. Universidad Tecnológica (UTEC)

B) DECENTRALIZED SERVICES

6. Administración Nacional de Correos (ANC)
7. Instituto Uruguayo de Meteorología (INUMET)

URUGUAY'S NOTES TO ITS LIST OF ENTITIES:

- (1) Purchases of the ANEP do not include those that are made to acquire, execute, repair goods or contract services for the maintenance and infrastructure improvements of teaching premises under its dependency.
- (2) Purchases of the University of the Republic do not include those that are made to acquire, execute, repair goods or contract services for scientific research.

SECTION D

(GOODS)

This Agreement applies to all public procurement of goods acquired by entities included in the Sections A and C unless otherwise specified in the Agreement, including its Annexes.

SECTION E

(SERVICES)

This Agreement applies to all public procurement of services contracted by entities included in Sections A and C unless otherwise specified in the Agreement, including its Annexes.

SECTION F

(CONSTRUCTION SERVICES)

The following construction services in the sense of Division 51 of the Central Product Classification as contained in document MTN.GNS/W/120 are covered (others being excluded):

LIST OF CONSTRUCTION SERVICES COVERED

CPC	Description
512	General construction work for buildings
513	General construction work for civil engineering
514, 516	Installation and assembly work
517	Building completion and finishing work
511, 515, 518	Others

NOTES TO SECTION F:

The offer regarding services is subject to the measures listed in Uruguay's Schedule of Specific Commitments in Annex II (Schedules of Specific Commitments for Services)

SECTION G

(GENERAL NOTES)

Unless otherwise provided, the following general notes apply without exception to this Agreement.

1. This Agreement does not apply to:
 - (a) purchases of crude oil and its derivatives, basic oils, lubricant additives and their respective freight charges;
 - (b) energy purchases;
 - (c) purchases of livestock by selection, in the case of specimens with special characteristics;
 - (d) the contracting of financial services;
 - (e) contracts for the delegation of services, such as authorizations, permits and concessions, including the concession of public works;
 - (f) hiring carried out within the framework of the Public Procurement for Development Program.
 - (g) the acquisition of services of agencies or services of fiscal deposits, services of liquidation and administration for regulated financial institutions, nor the services of sale and distribution of public debt;
 - (h) the hiring of non-profit institutions dedicated to social assistance, teaching, research and institutional development.
2. Notwithstanding any provision of this Agreement, in construction services contracts or public works, Uruguay may grant a margin of preference in the price of the offers which may be conditioned to hiring of nationals, in accordance with the requirements of qualification established in Uruguayan laws and regulations.
3. Notwithstanding Chapter 13 (Government Procurement), Uruguay may reserve in each year, purchase contracts subject to the Agreement for an amount equivalent to 15% (fifteen percent) of its total purchases of the previous year, with the object of promoting specific plans of promotion of

some sector or activity, founded on public policies and instrumented in rules that specify their content and scope.

EXCEPTIONS TO THE PUBLIC BIDDING PROCEDURE

Entities may award contracts by other means than the open tender procedures, in any of the following circumstances:

- (a) in the case of construction services or public works, if construction services additional to those originally contracted are required, which respond to unforeseen circumstances and which are necessary for the fulfilment of the objectives of the contract that originated them. However, the total value of the contracts awarded for such additional construction or public works services may not exceed 50 % of the amount of the main contract; and
- (b) if an entity requires consulting services related to aspects of a confidential nature, whose dissemination could reasonably be expected to compromise confidential information of the public sector, cause serious economic disturbances or, similarly, be contrary to the public interest.

SECTION H

(MEANS OF PUBLICATION)

Website of the ARCE (State Procurement Regulatory Agency)

<http://www.comprasestatales.gub.uy>

SECTION I

(THRESHOLD ADJUSTMENT FORMULA)

Uruguay shall calculate and convert the value of its thresholds into its national currency, using the conversion rates of the International Monetary Fund (IMF). The conversion rates will be the average of the values of its national currency in terms of the SDR published by the IMF in its monthly "International Financial Statistics", over the two-year period preceding 1 October of the year prior to the thresholds becoming effective. The converted thresholds shall apply from 1 January of the following year and shall be fixed for one year.

The value of the newly calculated thresholds shall be made available by Uruguay, in its national currency, before the respective thresholds take effect.